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# Standing Committee on Procedural Affairs

## Report on Private Bill Procedures



1st Session 32nd Parliament  
30 Elizabeth II

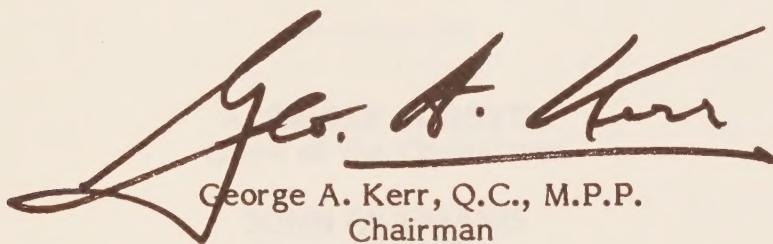




**The Honourable John M. Turner, M.P.P.  
Speaker of the Legislative Assembly**

Sir,

Your Standing Committee on Procedural Affairs has the honour to present its Report and commends it to the House.



George A. Kerr, Q.C., M.P.P.  
Chairman

Queen's Park  
14 December 1981



**MEMBERSHIP OF THE STANDING COMMITTEE  
ON PROCEDURAL AFFAIRS**

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**A. SMIRLE FORSYTH**  
Clerk of the Committee

**JOHN EICHMANIS**  
Research Officer



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Your Committee recommends that Part XI of the Standing Orders be revoked and the following substituted therefor:

#### XI. PRIVATE BILLS

Bill and  
fee filed  
with Clerk

65. (a) Any person, group or corporation may make an application for a Private Bill by filing with the Clerk of the House,

(i) a copy of the Bill;

(ii) a fee of \$500; and

(iii) a declaration proving publication of the notices referred to in clause (e).

(b) Every applicant for a Private Bill shall pay,

(i) the cost of printing the Bill;

(ii) the cost of reprinting the Bill if it is amended; and

(iii) the cost of printing the Act in the annual Statutes.

Applicant  
to pay cost  
of printing

(c) Where, at the request of the applicant, a Standing Order is suspended with reference to a Private Bill, a charge of \$50 shall be levied.

Other  
charges

(d) Where a Private Bill relates to a charitable organization within the meaning of the Income Tax Act (Canada), the Committee considering the Bill may recommend that the fee paid under clause (a) be remitted and, if the recommendation is approved by the House, the remitted fee shall be applied to



reduce any costs payable under clause (b) and the Committee may, having regard to the circumstances, recommend that all or part of the costs payable under clause (b) be waived and, if the recommendation is approved by the House, the costs shall be waived.

Notice published

(e) Notice of an application for a Private Bill shall be given before it is read a first time by publishing the notice once a week for at least four weeks in each of The Ontario Gazette and one newspaper circulated in the municipality most affected and the notice shall,

- (i) be signed by or on behalf of the applicant;
- (ii) clearly state the nature and object of the application;
- (iii) when the application refers to any proposed work, indicate generally the location of the work;
- (iv) where the application is by a municipal corporation for authority to issue debentures, set out the particulars of the existing debenture debt and the amount of the rateable property of the municipality according to the last revised assessment roll of the corporation and in brief and general terms, the object for which the new issue of debentures is required; and
- (v) state that persons wishing to be heard by the Standing Committee considering the Bill should notify the Clerk of the Legislative Assembly.

Period of notice

(f) Notice of an application for a Private Bill is valid for the calendar year in which the last notice is published and until the 1st day of July in the next following calendar year.



Dissolution  
or  
prorogation

(g) Where,

- (i) an application for a Private Bill is made during a Session but the Bill is not read a first time; or
- (ii) a Private Bill is read a first time but is not considered by a Standing Committee before dissolution or prorogation,

the application shall be considered during the next regular Session of the House without publishing further notice of the application and without payment of additional fees under clause (a).

Reference of  
application to  
Procedural  
Affairs  
Committee

66. The Clerk of the House shall refer to the Standing Committee on Procedural Affairs any application that, in his opinion, does not comply with the Standing Orders.

Letters  
Patent,  
etc.

67. When any Private Bill confirming any letters patent or agreement is presented to the House, a copy of the letters patent or agreement shall be included in the Bill.

Certificate  
of Minister  
of Revenue

68. No Private Bill relating to the status of a corporation shall be considered by a Standing Committee until there has been deposited with the Clerk of the House a certificate of the Minister of Revenue showing that all taxes payable under the Corporations Tax Act in respect of the corporation have been paid.

Referral

69. Every Private Bill when read a first time, shall, unless it is an Estate Bill or a Bill



providing for a consolidation of a floating debt or for the consolidation or renewal of debentures, other than local improvement debentures, of a municipal corporation, stand referred to a Standing Committee and all Petitions and correspondence to the House for or against the Bill stand referred to the Committee.

Certain municipal applications referred to O.M.B.

70. (a) Every Private Bill or part of a Bill of a municipal corporation providing for the consolidation of a floating debt or the consolidation or renewal of debentures, other than local improvement debentures, stands referred to the Ontario Municipal Board after first reading.

Report

(b) The Board, after due enquiry, shall report to the House whether or not it is reasonable that the Bill, or the part thereof relating to the matters referred to in clause (a), should pass and what, if any, alterations are necessary.

Report sent to Clerk

(c) A report of the Ontario Municipal Board shall be transmitted to the Clerk of the House.

Bill and report to Committee

(d) The Bill and report shall stand referred to a Standing Committee.

Estate Bills referral

71. (a) Every Estate Bill or part of a Bill that contains an Estate Bill provision stands referred to the Commissioners of Estate Bills after first reading.



Report of  
Commis-  
sioners

(b) The Commissioners of Estate Bills, or any two of them, shall report their opinion on the Bill or the part thereof that has been submitted to them and whether, presuming the allegations contained in the Preamble to be proven to the satisfaction of the House, it is reasonable for the Bill or the part thereof to pass and what, if any, alterations are necessary.

Report sent  
to Clerk

(c) A report of the Commissioners of Estate Bills shall be transmitted to the Clerk of the House.

Effect of  
adverse  
report

(d) Where the Commissioners of Estate Bills report that, in their opinion, it is not reasonable that the Bill or the part thereof submitted to them pass into law, the Bill or the part thereof shall not be further considered.

Bill and  
report to  
Committee

(e) Where the Bill or the part thereof submitted to the Commissioners of Estate Bills is reported favourably by the Commissioners, the Bill and the report shall stand referred to a Standing Committee and where only part of a Bill is submitted to the Commissioners and the Commissioners report that, in their opinion, it is not reasonable that the part pass into law, the Bill shall stand referred to a Standing Committee and the Committee shall amend the Bill by deleting therefrom the part to which the report relates.



Notice of Committee hearings

72. The Clerk of the House shall post on all notice boards five calendar days notice of the date on which any Private Bill is to be considered by a Committee and the notice shall be published in the Notice Paper.

Consent of interested person

73. Any person whose interest or property may be affected by a Private Bill, when required, shall appear before the Committee considering the Bill to express his consent or objection, or may consent in writing, proof of which may be demanded by the Committee.

On Order Paper after report

74. Private Bills when reported by a Standing Committee shall be placed on the Order Paper for second reading.

Reprinting of amended Bills

75. Private Bills amended by a Committee may be reprinted before further consideration, as the Clerk of the House may direct.

Referral after second reading

76. Private Bills, after second reading, shall be ordered for third reading, unless specially ordered referred to the Committee of the Whole House.

Notice required to dispense with Standing Orders

77. Except when waived by unanimous consent of the House, notice is required for a motion to dispense with any Standing Order relating to Private Bills.



Private  
Bill  
Register

78. A Private Bill Register shall be kept in the office of the Clerk of the House, in which shall be entered, by the Clerk appointed for that purpose, the name, description, and place of residence of the parties applying for the Bill, or of their agent, and all the proceedings thereon, such register to be open to public inspection daily, during office hours.

Parliamen-  
tary Agents

79. (a) Every Parliamentary Agent conducting proceedings before the House is personally responsible to the House and to the Speaker for the observance of the Standing Orders and Practices of Parliament, and also for the payment of all fees and charges.

Misconduct  
of  
Agent

(b) Any Parliamentary Agent who wilfully acts in violation of the Standing Orders and Practices of Parliament, or who wilfully misconducts himself in prosecuting any proceedings before the House, is liable to an absolute or temporary prohibition to practise as a Parliamentary Agent, at the pleasure of the Speaker.

Your Committee recommends that, notwithstanding the adoption of the preceding recommendation, where the first notice of an application for a Private Bill is published before the 1st day of February, 1982, the fee charged for the application shall be \$150 and Standing Order 65(e)(v) shall not apply to any such application.



Your Committee further recommends that the Clerk of the House publish weekly in The Ontario Gazette the following notice:

APPLICATIONS TO PARLIAMENT  
PRIVATE BILLS

PUBLIC NOTICE

The rules of procedure and the fees and costs related to applications for Private Bills are set out in the Standing Orders of the Legislative Assembly. Copies of the Standing Orders may be obtained from:

The Clerk of the Legislative Assembly  
Room 104, Legislative Building  
Queen's Park  
Toronto, Ontario  
M7A 1A2

Telephone 416/965-1406

Applicants should note that consideration of applications for Private Bills that are received after the 1st day of September in any calendar year may be postponed until the first regular Session in the next following calendar year.

Finally, your Committee recommends that the Standing Orders be amended by adding thereto the following Standing Order:

Bills initialled and signed

86a. (a) The Chairman of a Committee considering a Bill shall initial each section of the Bill as it is passed and sign the Bill.

Amendments

(b) Amendments shall be clearly indicated in the signed copy and the amendments or additions shall be initialled by the Chairman.





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